



Patent
Gaymar 0-03-123

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Flick et al.	Title:	Stand Alone Integrated Cushion
Serial no.:	10/608,649	Examiner:	F. Conley
Filed:	June 27, 2003	Art Unit:	3673

Amendment and Response

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This response is in reply to the second non-final office action that was mailed on September 9, 2004. In the office action, the examiner rejected claims (a) 1-4, 6-8 and 10 as being unpatentable over Newkirk et al. in view of Cook, (b) 5 as being unpatentable over Newkirk et al. in view of Cook et al and Stacy et al.; (c) 11 as being unpatentable over Newkirk et al. in view of Cook et al and Shafer et al.; (d) 9 and 12-17 as being unpatentable over Newkirk et al. in view of Cook et al and Williams et al., and (e) 17 as being unpatentable over Newkirk et al. in view of Cook et al, Williams et al., and Stacy et al. Each rejection is based on Newkirk et al. in view of Cook et al. and applicant respectfully traverses.

We direct the examiner's attention to claim 1, which reads as follows:

1. A stand alone integrated mattress comprising:
a self-contained mattress unit having at least a head section and a foot section, and capable of converting from a horizontal position or an inclined position to a chair-like conformation;
at least one inflatable bladder in each section of the self-contained mattress unit;
at least one fluid source;
at least one dispersion unit in each section and each dispersion unit provides a fluid, obtained from the fluid source, to a conduit which directs the fluid into the inflatable bladder positioned in the section of the dispersion unit;
a control system positioned in one of the sections and interconnected to each dispersion unit to control the dispersion of the fluid to the inflatable bladders in each section.

Emphasis added:

The self-contained mattress of the presently claimed invention has a head section and a foot section and is able to adjust from a horizontal (or inclined) position to a chair-like

conformation. The self-contained mattress also has bladders and at least one dispersion unit in each section. The self-contained mattress also has a control system in at least one of the sections and is interconnected to each dispersion unit. The bladders, the dispersion units, and the control system are all within the self-contained mattress.

Newkirk discloses a Conversion mattress. As stated in the specification, a conversion mattress is able to alter its position from a horizontal (or inclined) position to a chair-like conformation. The examiner wrote that Newkirk discloses "at least one fluid source (col. 2 lines 33-38)." That fluid source, as defined by the examiner, reads as follows:

Each bladder has a tube 40 by which bladders are inflated. As shown in FIG. 2, the respective **tubes 40 extend** between the two plies **to the notch 30** and then exit transversely out of the mattress where they are connected to a pump having suitable controls for their inflation. The controls may be mounted on an armrest panel 42 as shown in FIG. 1.

That means the pump is out of the mattress. The term "out of the mattress" is the opposite of the term "self-contained mattress" as claimed.

Why must the pump in the Newkirk reference be "out of the mattress"? Newkirk fails to provide an explanation but it should be noted that Newkirk only discloses one pump, not various dispersion units and a control system as claimed. That pump is interconnected to tubes 40. The tubes are interconnected to the bladders in the head section, not the foot section. The tubes "extend . . . to the notch." Notice that we highlighted that Newkirk stated the tubes do not penetrate beyond the notch. Why does Newkirk limit the tubes from going through the notch or the area that notoriously kinks tubes? Again, we are not sure exactly sure why but we assume it is to avoid kinking in the tubes because that seems obvious. By having the pump outside the mattress and the tubes not extending through the notch area, Newkirk avoids any and all kinking problems.

As previously stated in the specification, kinking is a serious problem with a self-contained Convertible mattresses – which Newkirk is not and which the examiner agrees when the examiner wrote, Newkirk et al. "fails to discloses a dispersion unit in each section and a control system." That "notch area" causes kinking problems especially if there is just one dispersion unit with tubes that must traverse through the "notch area."

Again as previously stated, there are few if no self-contained convertible mattress systems because of the kinking problem. It is obvious that Newkirk was avoiding the kinking problem by having the pump positioned outside the mattress and not having the tubes going through the notch area.

The examiner then relies on Cook to disclose a self-contained mattress system. Cook's system fails to have multiple dispersion units, as claimed. Cook does not need multiple dispersion units as claimed because Cook's mattress system is unconvertible and since it is unconvertible there is no notch area that can kink the tubes. Accordingly, Cook fails to provide any reason to have multiple dispersion units; As a matter of fact Cook teaches away from more than one dispersion unit.

As for the examiner's statement that Applicant failed to provide a reason for having multiple dispersion units, and having dispersion units in different sections of the self-contained mattress unit, we respectfully travers. We direct the examiner's attention to the specification where it was written:

By having two dispersion units 227a,b the present invention (1) decreases the length of the conduit 230a,b to the respective bladder(s) 210a,b from the dispersion unit 227a,b, (2) generates less vibration, heat, and noise (less distance to push and/or pull the fluid), (3) decreases the chances of kinks and air occlusion in the conduits 230a,b, and (4) increases the reliability of the inflatable bladders 210a,b in the self-contained with inflatable bladder stand alone integrated mattress system 10

In view of the above facts, Newkirk in view of Cook et al. fail to disclose, suggest or teach the claimed invention, as claimed and taught by applicants.

The other cited references were relied upon by the examiner for different purposes than the failings set forth above. Moreover, none of the cited references disclose the instant invention or any self-contained mattress unit as claimed. Accordingly, we will not address these references in this response.

In view of this response, it is respectfully submitted that the instant application is now in condition for allowance and that such allowance is earnestly requested.

Date: 9/18/04

Respectfully submitted

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